

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: JENNIFER RENEE BALLARD, : Chapter 13
:
Debtor : Bky. No. 19-14930 ELF

ORDER

AND NOW, WHEREAS:

- A. 11 U.S.C. §109(h)(1) requires that an individual may not be a debtor in a bankruptcy case unless, within the 180 day period before the filing of the bankruptcy petition, the individual has received an individual or group briefing from an approved nonprofit budget and credit counseling agency as described in 11 U.S.C. §111(a).
- B. 11 U.S.C. §109(h)(3) provides that a debtor may be exempted temporarily from the requirements of 11 U.S.C. §109(h)(1) for a thirty (30) day period after the filing of the petition if the debtor submits a Certification which satisfies the requirements of 11 U.S.C. §109(h)(3)(A)(i), (ii) and (iii).
- C. 11 U.S.C. §109(h)(4) provides that, after a notice and hearing, the court may determine that the requirements of 11 U.S.C. §109(h)(1) shall not apply to a debtor because of incapacity, disability, or active military duty in a military combat zone.
- D. The court held a hearing to consider whether the Debtor is eligible to be a debtor in this bankruptcy proceeding under title 11 of the U.S. Code.
- E. For the reasons stated in court, the Debtor filed the bankruptcy petition in this case without receiving a prepetition credit briefing as required by 11 U.S.C. §109(h)(1), has not filed a Certification which satisfies the requirements of 11 U.S.C. §109(h)(3)(A)(i), (ii) and (iii) and has not made a request for a determination under 11 U.S.C. §109(h)(4), and therefore, is not eligible to be a bankruptcy debtor,

It is therefore **ORDERED** that the above captioned bankruptcy case is **DISMISSED**.

Date: August 20, 2019



**ERIC L. FRANK
U.S. BANKRUPTCY JUDGE**